

Prob12B  
(7/93)

**United States District Court  
for the District of Massachusetts**

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**  
*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Dwayne Thomas

Case Number: 1:05 CR 10083-01-JLT

Name of Sentencing Judicial Officer: The Honorable Joseph L. Tauro, U.S. District Judge

Date of Original Sentence: March 7, 2007

Original Offense: Bank Fraud in violation of Title 18 U.S.C. 1344(1)

Original Sentence: 1 day of incarceration followed by 36 months of supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: March 7, 2007

**PETITIONING THE COURT**

- ☐ To extend the term of supervision for years, for a total term of years  
☐ To modify the conditions of supervision as follows:

1.) The defendant agrees to add the following special condition to the conditions of his supervised release:

**The defendant is to participate in a program for substance abuse, either inpatient or outpatient, as directed by the United States Probation Office, which program may include random drug testing to determine whether the defendant has reverted to the use of alcohol or drugs. The defendant shall be required to contribute to the costs of services for such treatment based on the ability to pay or availability of third party payment.**

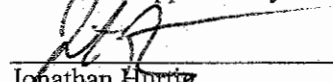
**CAUSE**

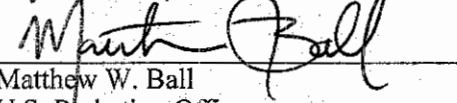
On July 17, 2007, Mr. Thomas admitted to using crack-cocaine during the week of July 9, 2007.

It is the belief of the U.S. Probation Office that this modification is essential for proper and appropriate supervision of Mr. Thomas. A **Waiver of Hearing to Modify Conditions of Supervised Release** was voluntarily signed by Mr. Thomas and has been included with this request.

Reviewed/Approved by:

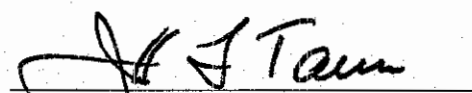
Respectfully submitted,

  
 Jonathan Huring  
 Supervising U.S. Probation Officer

By   
 Matthew W. Ball  
 U.S. Probation Officer  
 Date: July 20, 2007

**THE COURT ORDERS**

- ☐ No Action  
☐ The Extension of Supervision as Noted Above  
☒ The Modification of Conditions as Noted Above  
☐ Other

  
 Signature of Judicial Officer  
 Date 7/24/07

PROB 49

Waiver of Hearing to Modify Conditions  
of Probation/Supervised Release or Extend Term of Supervision

**UNITED STATES DISTRICT COURT**  
**for the**  
**DISTRICT OF MASSACHUSETTS**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

**The defendant is to participate in a program for substance abuse, either inpatient or outpatient, as directed by the United States Probation Office, which program may include random drug testing to determine whether the defendant has reverted to the use of alcohol or drugs. The defendant shall be required to contribute to the costs of services for such treatment based on the ability to pay or availability of third party payment.**

Witness:

Maith Ball  
U.S. Probation Officer

Signed:

Dwayne Pham  
Probationer or Supervised Releasee

7/17/07  
DATE